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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/695,785 | 10/30/2003 | Tetsuo Fujii | 01-472 | 7735 |

23400 7590 03/25/2005

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| EXAMINER |
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MAGEE, THOMAS J

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| ART UNIT | PAPER NUMBER |
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2811

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/695,785

Applicant(s)

FUJII, TETSUO

Examiner

Thomas J. Magee

Art Unit

2811

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,8,9 and 20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,8,9 and 20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>30 October 2003</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Embodiment of Figures 1 – 4, including Claims 1, 2, 5, 8, 9, and 20 in Letter of 21 December 2004 is acknowledged. Claims 3, 4, 6, 7, and 10 – 19 are withdrawn from consideration.

Claim Rejections – 35 U.S.C. 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 5, 8, 9, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kato (US 5,773,881).

4. Regarding Claim 1, Kato discloses a dynamic quantity sensor comprising :

a sensor board (15) (Marked-up Figure 7) including a movable portion (16) and a silicon layer (17) (fixed end) wherein the movable portion is displaced under application of a dynamic quantity and the silicon layer is separated from the movable portion by an insulator (4) (pedestal)

a circuit board (3) for transmitting to and receiving electrical signals from the sensor board (15), wherein the circuit board (3) is disposed to confront the one surface of the sensor

board through a gap portion and to cover the movable portion (16), and the sensor board and the circuit board are bonded to each other around the gap portion so that a bonding portion is formed that substantially surrounds the gap portion.

5. Regarding Claims 2 and 9, Kato discloses a dynamic quantity sensor, wherein the sensor and the circuit board are sealingly wrapped by mold (resin) material (31) (Col. 6, line 21).

6. Regarding Claim 5, Kato discloses a dynamic quantity sensor comprising a lead frame (upper end of 7) for transmitting electrical signals to an exterior, wherein the sensor board is bonded to the lead frame on another surface opposite to the one surface of the sensor board facing the circuit board.

7. Regarding Claim 8, Kato discloses a dynamic quantity sensor wherein the sensor board and circuit board are electrically connected to each other by bonding wires (5).

8. Regarding Claim 20, Kato discloses a dynamic quantity sensor comprising:

a sensor board (15) including a moveable portion at one surface side thereof (bottom side, 16), wherein the moveable portion is displaced under application of a dynamic quantity, and


a circuit board (3) for transmitting to and receiving electrical signals from the sensor board (15), wherein the circuit board is disposed so as to confront one surface of the sensor board through a gap portion and to cover the moveable portion, and wherein the sensor

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board and the circuit board are partially bonded to each other around the gap portion (at 24).

Conclusions

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Thomas Magee**, whose telephone number is **(571) 272 1658**. The Examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM (EST). If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, **Eddie Lee**, can be reached on **(571) 272-1732**. The fax number for the organization where this application or proceeding is assigned is **(703) 872-9306**.



EDDIE LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Thomas Magee
March 10, 2005